

RUMSON PLANNING BOARD
JANUARY 6, 2020
MINUTES

The regularly scheduled meeting was called to order at 7:30 pm with a salute to the flag, followed by a roll call of: Dr. Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret, Mr. Clark
Absent: Mrs. White, Mr. Barham

Also present: Michael B. Steib, Esq., Fred Andre', Thomas Neff representing T&M Associates and State Shorthand Reporting Services.

The notice requirements of the Open Public Meetings Act were stated as being met.

Mr. Steib administered the oath to the following reappointed and new Board Members: Councilman Rubin, Councilman Casazza, Mr. Clark and Mr. Ciambrone.

Mr. Steib asked for any nominations for the 2020 Chairman of the Planning Board position. Mrs. Baret nominated Dr. Lospinuso for the Chairman position; Seconded by Councilman Rubin.

Roll call vote:

Ayes: Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret, Mr. Clark

Nays: None

Abstain: Dr. Lospinuso

Mr. Steib asked for any nominations for the 2020 Vice Chairman position. Chairman Lospinuso nominated Mr. Clark for the Vice Chairman position; Seconded by Councilman Rubin.

Roll call vote:

Ayes: Chairman Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret

Nays: None

Abstain: Mr. Clark

Councilman Rubin made a Motion to appoint Michael B. Steib, Esquire as the 2020 Planning Board Attorney; Seconded by Councilman Casazza.

Roll call vote:

Ayes: Chairman Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret, Mr. Clark

Nays: None

Councilman Rubin made a Motion to appoint T&M Associates as the 2020 Planning Board Engineer; Seconded by Mr. Clark

Roll call vote:

Ayes: Chairman Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret, Mr. Clark

Nays: None

Councilman Rubin made a Motion to appoint State Shorthand Reporting Services, Inc. as the 2020 Planning Board reporting service; Seconded by Councilman Casazza

Roll call vote:

Ayes: Chairman Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret, Mr. Clark

Nays: None

Councilman Rubin made a Motion to appoint Frederick J. Andre' for the 2020 Planning Board Secretary; Seconded by Councilman Rubin.

Roll call vote:

Ayes: Chairman Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret, Mr. Clark

Nays: None

Councilman Rubin made a Motion to appoint The Asbury Park Press and The Two River Times as the 2020 Planning Board official newspapers; Seconded by Mrs. Baret.

Roll call vote:

Ayes: Chairman Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret, Mr. Clark

Nays: None

Councilman Rubin made a Motion to adopt the 2020 Planning Board Meeting Schedule; Seconded by Councilman Rubin.

Roll call vote:

Ayes: Chairman Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Ciambrone, Mr. Shanley, Mrs. Baret, Mr. Clark

Nays: None

Chairman Lospinuso asked for any comments on the August 5, 2019 Minutes. Councilman Casazza made a Motion to approve the Minutes as amended; Seconded by Councilman Rubin.

Roll call vote:

Ayes: Councilman Rubin, Councilman Casazza, Mr. Clark

Nays: None

Abstain: Chairman Lospinuso, Mrs. Ford, Mr. Shanley, Mrs. Baret, Mr. Ciambrone

Mr. Steib asked that the minor subdivision application of Michael McCarty for property located at 3 Blackpoint Horseshoe be presented for the Board's consideration.

Thomas Neff reviewed the T&M Associates engineering and completeness review with the Board and asked the applicant if there were any other easements aside from the proposed sight triangle easement. Mr. Brodsky advised that there were no other easements associated with the application. Mr. Neff stated there were no objections to waivers being requested at this time and deemed the application complete.

Councilman Casazza made a motion to proceed with the application; Seconded by Mrs. Baret.

Roll call vote:

Ayes: Chairman Lospinuso, Councilman Rubin, Councilman Casazza, Mrs. Ford, Mr. Shanley, Mrs. Baret, Mr. Ciambrone, Mr. Clark
Nays: None.

Mr. Steib advised that the Board is in receipt of the following exhibits: A-1 T&M Associates Completeness review dated 11/18/19; A-2 Application for a Minor Subdivision dated 10/24/19; A-3 Minor Subdivision Plan prepared by Cranmer Engineering PA dated revised through 12/23/19; A-4 Second T&M Associates review dated 1/2/2020.

Mr. Rick Brodsky, Esquire from the Ansell, Grimm and Aaron Law Firm representing the applicant addressed the Board. Mr. Brodsky stated that the application is to subdivide the property, which is a 3.599-acre tract, and create two new lots consisting of approximately 1.8 acres each and build two new single-family dwellings. The existing dwelling, driveway, walkways, decks and pool are all proposed to be removed.

Mr. Brodsky introduced David Cranmer, a New Jersey licensed Engineer. Mr. Cranmer was sworn in and the Board accepted his credentials. Mr. Cranmer submitted the following exhibits for the Board's consideration: A-5 Color rendering of the Minor Subdivision Plan revised through 12/23/19; A-6 2013 Aerial Map; A-7 Filed Plat recorded 5/29/1875.

Mr. Cranmer described the existing conditions at the property and stated that the subject property was originally two lots that merged over time. The property is in the R-2 Zone of the Borough. Mr. Cranmer explained the property has environmental constraints which limits the usable lot area. Mr. Cranmer compared the proposed subdivision to the adjoining properties. Variances are required for both lots for front yard setbacks, lot width frontage for the corner lot, corner lot shape circle and interior lot shape circle.

Mr. Cranmer described the existing properties and homes in the neighborhood. Mr. Cranmer stated that the development of this parcel also requires approval from the Department of Environmental Protection regarding stormwater management, et cetera.

Mr. Cranmer testified that there will be no excessive traffic generated by the subdivision. The benefits of granting the requested variances outweigh any detriments and will not have any substantial impact to the zone plan, zoning ordinances or the Master Plan of the Borough. The applicant will comply with the requirement for street trees and a plot plan and tree removal plan will be supplied for review and approval by the Board and the Board's professionals.

Daniel J. O'Hern, Esquire from the Byrnes, O'Hern and Heugle Law Firm representing objectors, McCane, Thomas, Lawrence and Muss. Mr. O'Hern cross-examined Mr. Cranmer regarding his testimony. Mr. O'Hern inquired about the Fresh Water Wetlands Letter of Interpretation from the DEP, future ownership of the properties, the comparison of the neighboring properties and the percentages of variance deviations being requested.

Mr. Brodsky elicited further testimony from the witness to clarify the justifications for the granting of the variances.

Chairman Lospinuso opened the testimony for public questions and/or statements. Donna Victoria Zigler residing at 4 Navesink Avenue was sworn in and submitted a packet of documents marked Z-1 for the Board's review. Mrs. Zigler explained the documents and photographs contained in Z-1. Mrs. Zigler expressed her concerns associated with other construction in the neighborhood; the amount of grading being done; requested that the Board act responsibly regarding the requested variances and any development in this area.

Fritz Thomas residing at 5 Blackpoint Horseshoe was sworn in. Mr. Thomas questioned the scope of Mr. Cranmer's testimony of the surrounding properties. Mr. Thomas explained the history of the development of his property, questioned the number of trees that have already been removed from the property, and concerns with the pre- and post-construction runoff from the subject property. Mr. Thomas stated that he and his wife object to the grant of this proposed subdivision.

Robert Brett Lawrence residing at 20 Edgewood Road and the owner of 7 Blackpoint Horseshoe was sworn in. Mr. Lawrence stated that he objects to the subdivision proposal before the Board because it dramatically changes the rhythm and character of this neighborhood. Mr. Thomas also questioned the scope of the study of properties in the immediate neighborhood and the grading and drainage of the proposed subdivision.

Jonathan Muss residing at 8 Blackpoint Horseshoe was sworn in. Mr. Muss also questioned the scope of the neighborhood properties testified to Mr. Cranmer and expressed concern with the number of variances being sought by the applicant. Mr. Muss explained that during certain times of the year there's a heavy traffic flow in the neighborhood. Mr. Muss stated he was opposed to the subdivision of this parcel.

Quinn McCane residing at 4 Blackpoint Horseshoe was sworn in. Mr. McCane reiterated the change to the rhythm and pattern of the neighborhood and expressed his concern with the view corridor with two proposed homes versus one home on the property.

Board Members requested that the applicant broaden the scope of their analysis to include all the properties on Blackpoint Horseshoe, submit the tree removal permit and submit an existing tree inventory.

Chairman Lospinuso announced that the application will be carried to the March 9, 2020 Planning Board Meeting at 7:30 p.m. without further notice.

Mr. Steib advised the Board that no Executive Session was necessary.

There being no further business before the Board, the meeting was adjourned at 10:05 p.m. The next scheduled meeting will be March 9, 2020 at 7:30 p.m.

Respectfully submitted,
Michele MacPherson